

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

LUNA ECLIPS,

Plaintiff,

vs.

EARL HOUSER, *et al.*,

Defendants.

Case No. 3:19-cv-00197-SLG-MMS

**FINAL REPORT AND
RECOMMENDATION
FOR CASE DISMISSAL**

Luna Eclips, a self-represented prisoner, filed a pleading entitled “Notice to Court of Correctional Officers Placing Inmates Life in Danger,” a Request for Appointment of Counsel, an Application to Waive Prepayment of the Filing Fee, a “Notice to the Court of AKDOC’s Continued ‘Campaign of Harassment,’” a Notice of Change of Address, and a Motion to Amend Caption to Include Additional Defendants at GCCC.¹

On October 10, 2019, the Court granted Mr. Eclips’s Motion to Amend and provided guidance, instructions, and forms in order for him to amend his complaint by November 10, 2019.² The Court explicitly cautioned Mr. Eclips that if he “does not fully comply with this Order on or before November 10, 2019, this case will recommend this case be dismissed without further notice.”³ Mr. Eclips has not

¹ Dockets 1-6; *but see* Docket 7 (returned/undeliverable mail).

² Docket 9.

³ Docket 9 at 4.

complied with the Court's order at Docket 9. He has neither submitted an Amended Complaint or a Notice of Voluntary Dismissal as directed.⁴

Accordingly, the Court recommends this case be dismissed and all pending motions be denied as moot.⁵

DATED this 25th day of November, 2019 at Anchorage, Alaska.

/s/ Matthew M. Scoble
United States Magistrate Judge

⁴ Docket 9 at 4.

⁵ These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Any party may file written objections with the court no later than **December 9, 2019**. Such a document should be captioned "Objections to Final Report and Recommendations." Response(s) to the objections shall be filed on or before November 29, 2019. Failure to file objections within the specified time may waive the right to appeal the District Court's order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991). Reports and recommendations are not appealable orders. Any notice of appeal pursuant to Fed. R. App. P. 4(a)(1) should not be filed until entry of the district court's judgment. See *Hilliard v. Kinsheloe*, 796 F.2d 308 (9th Cir. 1986).